APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,894	08/29/2001	Eric D. Anderson	500247.02	2382

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EXAMINER
ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 October 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-29 and 37-44* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-29 and 37-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 11 – 29 and 37 – 44 are presented for examination.

2.   Claims 11, 12, 17, 18, 20, 22, 23, 37, 38, 41 and 42 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Baldwin et al. (5941946) (hereinafter Baldwin) in view of Aronson et

al. (6654787) (hereinafter Aronson).

3.   As per claim 11, as closely interpreted by the Examiner, Baldwin teaches a computer-

implemented method for sending an Email communication to recipients, the method comprising:

4.   providing an Email communication program on a server that performs the acts of:

5.   receiving an Email communication, including an indication of at least one recipient to

receive the Email communication, (e.g., col. 3, lines 25 – 40);

6.   determining by the Email communication program, whether multiple recipients of the

Email communication have been indicated in the received indication, (e.g., col. 3, lines 25 – 40);

and

7.   if it is determined that multiple recipients have been indicated,

8.   notifying each of the multiple recipients of the Email communication without sending the

Email communication to the recipients, (e.g., col. 3, lines 25 – 63); and

9.   in response to a request for the Email communication from a recipient, sending the Email

communication to the recipient, (e.g., col. 5, lines 49 – 56).

10.   Baldwin does not specifically teach storing a single copy of the Email communication on

the server.

11.   Aronson teaches receiving an Email communication, including an indication of at least

one recipient to receive the Email communication, (e.g. col. 5, lines 20 – 67 & col. 10, line 65 –

col. 11, line 5);

12.   storing a single copy of the Email communication on the, (e.g. col. 5, lines 20 – 67 & col.

10, line 65 – col. 11, line 5). It would have been obvious to one skilled in the art at the time the

invention was made to combine Aronson with Baldwin because storing only one copy of a

message in a server conserves significant space.

13.   As per claim 12, as closely interpreted by the Examiner, Baldwin teaches if it is

determined that multiple recipients have not been indicated, sending the Email communication to

the recipient without waiting for a request for the Email communication, (e.g., col. 3, lines 25 –

63).

14.   As per claim 17, as closely interpreted by the Examiner, Baldwin teaches wherein the

notifying of a recipient of the Email communication involves sending a distinct indicator Email

communication to the recipient by the Email communication program, (e.g. col. 5, lines 16 – 48).

As per claim 18, as closely interpreted by the Examiner, Baldwin teaches including retrieving

notifying instructions for a recipient by the Email communication program, and wherein the

notifying of the recipient is performed according to the notifying instructions, (e.g. col. 5, lines

16 – 48).

15.   As per claim 20, as closely interpreted by the Examiner, Baldwin teaches wherein the

notifying instructions are supplied by the recipient, (e.g. col. 5, lines 16 – 48).

16.   As per claim 22, as closely interpreted by the Examiner, Baldwin teaches wherein the

notifying instructions indicate that the notifying is to be performed in an encrypted manner, (e.g.

col. 9, line 60 – col. 10, line 14).

17.   Claims 23, 37, 38, 41 and 42 are rejected for similar reasons as stated above.

18.   Claims 13, 16, 19, 21, 24, 27 – 29, 39 and 43 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Baldwin and Aronson in further view of Arnold (6275848).

19.   As per claim 13, as closely interpreted by the Examiner, Baldwin teaches the use of

storing and sending Email communication but does not specifically teach tracking the sending of

the Email communication to the recipients; and

20.   when the Email communication has been sent to all of the recipients, deleting the stored

Email communication by the Email communication program. Arnold teaches tracking the

sending of a communication to the recipients, (e.g. col. 4, line 25 – col. 5, line 25); and

21.   when a communication has been sent to all of the recipients, deleting the stored Email

communication by the Email communication program, (e.g. col. 4, line 25 – col. 5, line 25). It

would have been obvious to one skilled in the art at the time the invention was made to combine

Arnold's limitation of deleting an attachment after all recipients have viewed it with Baldwin's

limitation of storing Email because it is common for systems to utilize a Email server to store

Email for recipients and if a group of recipients have all viewed the Email and no longer desire

the use of the stored Email on the Email server then it would be advantageous for the Email to be

deleted so the Email server can have more space for other Emails that are to be sent.

22.   As per claim 16, as closely interpreted by the Examiner, Baldwin and Aronson do not

specifically teach determining a period of time for which the Email communication will be

stored; and

23.   when the determined period of time has expired, deleting the stored Email

communication by the Email communication program. Arnold teaches determining a period of

time for which the Email communication will be stored, (e.g. col. 4, line 25 – col. 5, line 25); and

24.   when the determined period of time has expired, deleting the stored Email

communication by the Email communication program, (e.g. col. 4, line 25 – col. 5, line 25). It

would have been obvious to one skilled in the art at the time the invention was made to combine

Arnold with the combine system of Baldwin and Aronson because of reasons disclosed above,

furthermore, if a user has information that is forgotten for a period of time, the system could

delete this information, therefore freeing up space in memory.

25.   As per claim 19, as closely interpreted by the Examiner, Baldwin and Aronson do not

specifically teach wherein the notifying instructions are supplied by a sender of the Email

communication. Arnold teaches wherein the notifying instructions are supplied by a sender of the

Email communication, (e.g. col. 4, line 25 – col. 5, line 25). It would have been obvious to one

skilled in the art at the time the invention was made to combine Arnold with Baldwin because if the sender needed specific functions to be carried out with the Email communication it would be more efficient for a system to have the sender send instructions to a Email server to only allow specific recipients in a group to access the Email communication, delete the Email at a specific time, automatically send the Email to recipients at a specified time, etc.

26.   As per claim 21, as closely interpreted by the Examiner, Baldwin and Aronson do not specifically teach wherein the notifying instructions are determined automatically by the Email communication program based on past interactions with the recipient. Arnold teaches wherein the notifying instructions are determined automatically by the Email communication program based on past interactions with the recipient, (e.g. col. 5, line 25 – col. 6, line 49). It would have been obvious to one skilled in the art at the time the invention was made to combine Arnold with Baldwin because it is a more efficient way to have a Email communication dealt with, therefore saving time on the users side.

27.   Claims 24, 27 – 29, 39 and 43 are rejected for similar reasons as stated above.

28.   Claims 14, 15, 25, 40 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin, Aronson and Arnold in further view of Foladare et al. (6311210) (hereinafter Foladare).

29.   As per claim 14, as closely interpreted by the Examiner, Baldwin and Aronson do not

specifically teach when it is determined that the Email communication has been sent to all of the

recipients and that none of the recipients have indicated that the Email communication is to be

saved, deleting the stored Email communication by the Email communication program. Foladare

teaches when it is determined that the Email communication has been sent to all of the recipients

and that none of the recipients have indicated that the Email communication is to be saved,

deleting the stored Email communication by the Email communication program, (e.g. col. 3,

lines 15 – 35). It would have been obvious to one skilled in the art at the time the invention was

made to combine Foladare with the combined system of Baldwin, Aronson and Arnold because

if the Email communication is no longer needed, the user could have it deleted, therefore freeing

up space on the system.

30.   As per claim 15, as closely interpreted by the Examiner, Baldwin, Aronson and Arnold

do not specifically teach when it is determined that the Email communication has been sent to all

of the recipients and that all of the recipients have indicated that the Email communication can

be deleted, deleting the stored Email communication by the Email communication program.

Foladare teaches when it is determined that the Email communication has been sent to all of the

recipients and that all of the recipients have indicated that the Email communication can be

deleted, deleting the stored Email communication by the Email communication program, (e.g.

col. 3, line 55 – col. 4, line 15). It would have been obvious to one skilled in the art at the time

the invention was made to combine Foladare with the combined system of Baldwin, Aronson

and Arnold because in case a user makes the mistake of deleting information or is unsure if the

information selected for deletion is correct, the system would have to have permission to delete

the information. This could be used in a form of error checking.

31.   Claims 25, 40 and 44 are rejected for similar reasons as stated above.

32.   Claims 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Baldwin and Aronson in further view of Landfield et al. (5632011) (hereinafter Landfield).

33.   As per claim 22, as closely interpreted by the Examiner, Baldwin and Aronson do not

specifically teach the notifying instructions indicate that the notifying is to be performed in an

encrypted manner. Landfield teaches the notifying instructions indicate that the notifying is to be

performed in an encrypted manner, (e.g. col. 4 lines 1 – 9). It would have been obvious to one

skilled in the art at the time the invention was made to combine Landfield with the combined

system of Baldwin and Aronson because encrypting information to be sent across a network

prevents unauthorized user from view information they are not privileged to therefore, securing

information.

34.   As per claim 26, as closely interpreted by the Examiner, Baldwin and Aronson do not

specifically teach automatically sending the Email communication to a non-recipient authorized

to access the Email communication. Landfield teaches automatically sending the Email

communication to a non-recipient authorized to access the Email communication, (e.g. col. 6,

lines 60 – 67). It would have been obvious to one skilled in the art at the time the invention was

made to combine Landfield with the combined system of Baldwin and Aronson because if there

is Email communication data that would have information that is dangerous to the system an

non-recipient authorized to access the Email communication, (i.e. administrator), could check it

for harmful information that could damage the system.

Response to Arguments

35.   Applicant's arguments with respect to claims 11 – 29 and 37 – 44 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

36.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

37.   a.   Kuzma U.S. Patent No. 5771355 discloses Transmitting electronic mail by either

reference or value at file-replication points to minimize costs.

38.   b.   Uchida et al. U.S. Patent No. 6327610 discloses System for broadcasting

electronic mails that separately stores and sends a portion of electronic mails with an access code

for filtering and retrieving purpose.

39.   c.   Hanson et al. U.S. Patent No. 6505233 discloses Method for communicating

information among a group of participants.

40.   d.   Fujita et al. U.S. Patent No. 6360251 discloses Methods, apparatus and computer program products for message processing control including selective display of user addresses associated with a group address.

41.   e.   Nielsen U.S. Patent No. 6453327 discloses Method and apparatus for identifying and discarding junk electronic mail.

42.   f.   Hammond U.S. Patent No. 6854007 discloses Method and system for enhancing reliability of communication with electronic messages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.
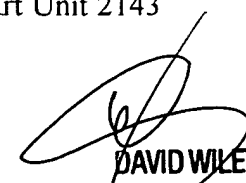
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner
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